
License Denial, Suspension, Revocation and Restoration

The Background:

Denial, Suspension or Revocation:

Pursuant to State Board of Education Rule 0520-2-4-.01(9)(b):

The State Board of Education may revoke, suspend or refuse to issue or renew a license for the following reasons:

1. Conviction of a felony,
2. Conviction of possession of narcotics,
3. Being on school premises or at a school-related activity involving students while documented as being under the influence of, possessing or consuming alcohol or illegal drugs,
4. Falsification or alteration of a license or documentation required for licensure,
5. Denial, suspension or revocation of a license or certificate in another jurisdiction for reasons which would justify denial, suspension or revocation under this rule, or
6. Other good cause. Other good cause shall be construed to include noncompliance with security guidelines for TCAP or successor tests pursuant to T.C.A. § 49-1-607, default on a student loan pursuant to T.C.A. § 49-5-108(d)(2) or failure to report under part (e).

For purposes of this part (b), “conviction” includes conviction on a plea of guilty, a plea of nolo contendere or an order granting pre-trial or judicial diversion.

A person whose license has been denied, suspended or revoked may not serve as a volunteer or be employed, directly or indirectly, as an educator, paraprofessional, aide, substitute teacher or in any other position during the period of the denial, suspension or revocation.

Reinstatement:

Pursuant to State Board of Education Rule 0520-2-4-.01(9)(c):

A person whose license has been denied, suspended or revoked under parts (a) or (b) may apply to the Board to have the license issued or restored upon application showing that the cause for denial, suspension or revocation no longer exists and that the person has complied with any terms imposed in the order of denial or revocation. In the case of a felony conviction, before an application will be considered, the person must also

show that any sentence imposed, including any pre-trial diversion or probationary period has been completed. Application for such issuance or restoration shall be made to the Office of Teacher Licensing and shall be voted on at a regularly scheduled meeting of the State Board of Education. Nothing in this section is intended to guarantee restoration of a license.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

Board action is required. Counsel to the Board recommends approval of the attached orders imposing the discipline noted below.

- A. Buice, Nathan Carl - revocation
- B. Driver, Joe Bryant- restoration
- C. Franks, Chanda- revocation
- D. Hutchinson, Carolyn- revocation, concurrent
- E. Light, Jonathan- suspension, concurrent
- F. Martin, Michael- revocation
- G. Sanders, Phyllis- revocation, concurrent
- H. Schlieff, Pam- revocation, three (3) years, with contingency
- I. Tramel, Bryan- revocation
- J. Turley, Dustin L.- suspension, one (1) year, with contingency
- K. Wallace, Jonathan Lee- suspension, one (1) year, with contingency
- L. Witten, David Ryan- revocation, concurrent

**Nathan Carl Buice
Revocation**

The Background:

Allegation: Mr. Buice resigned from Hamblen County Schools following allegations of inappropriate conduct with a female student.

Status: Respondent was notified by certified mail of the Board's intent to revoke his license based upon these findings, and of his right to a hearing. Respondent waived his right to a hearing in writing.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation pursuant to Board Rule 0520-2-4-.01(9)(b)(6).

**Joe Bryant Driver
Restoration**

The Background:

Allegation: In May 2009, Mr. Driver was dismissed from Obion County Board of Education following allegations that he had made inappropriate comments to a female student.

Status: The State Board revoked Mr. Driver's license in November 2009 with the provision that he might apply for restoration in the spring of 2012.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

The Board staff review committee recommends granting the restoration request. A petition from Mr. Driver, along with letters of recommendation are attached.

**Chanda Franks
Revocation**

The Background:

Allegation: Ms. Franks pled guilty to four (4) counts of aggravated statutory rape.

Status: Respondent was notified by certified mail of the Board's intent to revoke her license based upon these findings, and of her right to a hearing.

The certified letter was returned unclaimed. The U.S. Postal Service notation that a properly addressed certified letter is "unclaimed" is sufficient evidence of the addressee's refusal to accept service and is sufficient legal notice to the addressee. By refusing delivery of the certified mail, Respondent has waived the right to a hearing.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation pursuant to Board Rule 0520-2-4-.01(9)(b)(1).

**Carolyn Hutchinson
Revocation, concurrent**

The Background:

Allegation: Ms. Hutchinson's license was revoked in Kentucky after being convicted of Criminal Trespass, Assault, Terroristic Threatening, Stalking, Violation of a Protective Order/Domestic Violence Order, Criminal Mischief, and Operating a Motor Vehicle Under the Influence of Intoxicants.

Status: Respondent was notified by certified mail of the Board's intent to revoke her license based upon these findings, and of her right to a hearing.

The certified letter was returned unclaimed. The U.S. Postal Service notation that a properly addressed certified letter is "unclaimed" is sufficient evidence of the addressee's refusal to accept service and is sufficient legal notice to the addressee. By refusing delivery of the certified mail, Respondent has waived the right to a hearing.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-2-4-.01(9)(b)(5).

The Board staff review committee recommends suspension concurrent with the KY suspension.

Jonathan Light
Suspension, concurrent

The Background:

Allegation: Mr. Light's license was suspended in Kentucky for exchanging inappropriate text messages with two female high school students.

Status: Respondent was notified by certified mail of the Board's intent to suspend his license based upon these findings, and of his right to a hearing. Respondent received the notice but did not request a hearing.

The Master Plan Connection:

This item supports the Board's *Master Plan* principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-2-4-.01(9)(b)(5).

The Board staff review committee recommends suspension concurrent with the KY suspension.

Michael Martin
Revocation

The Background:

Allegation: Dr. Michael Martin pled guilty to official misconduct, falsifying records, and theft.

Status: Respondent was notified by certified mail of the Board's intent to revoke his license based upon these findings, and of his right to a hearing. Respondent received the notice but did not request a hearing.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation pursuant to Board Rule 0520-2-4-.01(9)(b)(1).

The Board staff review committee recommends revocation of Respondent's license.

**Phyllis Sanders
Revocation, concurrent**

The Background:

Allegation: Ms. Sanders' license was revoked in Kentucky after her guilty plea of 2nd Degree Promoting Contraband.

Status: Respondent was notified by certified mail of the Board's intent to revoke her license based upon these findings, and of her right to a hearing. Respondent received the notice but did not request a hearing.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-2-4-.01(9)(b)(5).

The Board staff review committee recommends suspension concurrent with the KY suspension.

**Pam Schlieff
Revocation**

The Background:

Allegation: Ms. Pam Schlieff resigned from Sevier County Public Schools after pleading guilty to felony theft of property over \$10,000, which she committed against Sevier County Board of Education.

Status: Respondent was notified by certified mail of the Board's intent to revoke her license based upon these findings, and of her right to a hearing. Respondent received the notice but did not request a hearing.

The certified letter was returned unclaimed. The U.S. Postal Service notation that a properly addressed certified letter is "unclaimed" is sufficient evidence of the addressee's refusal to accept service and is sufficient legal notice to the addressee. By refusing delivery of the certified mail, Respondent has waived the right to a hearing.

The Master Plan Connection:

This item supports the Board's *Master Plan* principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation pursuant to Board Rule 0520-2-4-.01(9)(b)(1).

The Board staff review committee recommends revocation of Respondent's license, with reinstatement contingent upon having made complete restitution of funds stolen to Sevier County Board of Education.

**Bryan Tramel
Revocation**

The Background:

Allegation: Mr. Tramel was convicted of Sexual Battery by an Authority Figure and Sexual Assault.

Status: Respondent was notified by certified mail of the Board's intent to revoke his license based upon these findings, and of his right to a hearing. Respondent received the notice but did not request a hearing.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation pursuant to Board Rule 0520-2-4-.01(9)(b)(1).

The Board staff review committee recommends revocation of Respondent's license.

**Dustin L. Turley
Suspension, one (1) year, with contingency**

The Background:

Allegation: Mr. Turley resigned from Hamblen County Schools for being on school grounds possession prescription narcotics without a prescription. Respondent also pled guilty to Possession of Schedule IV and Schedule II Narcotics.

Status: Respondent was notified by certified mail of the Board's intent to suspend his license based upon these findings, and of his right to a hearing. Respondent received the notice but did not request a hearing.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation pursuant to Board Rule 0520-2-4-.01(9)(b)(3).

The Board staff review committee recommends suspension for one (1) year with reinstatement contingent upon proof of rehabilitation or evaluation by a health care provider and completion of any recommended steps.

**Jonathan Lee Wallace
Suspension, one (1) year, with contingency**

The Background:

Allegation: Mr. Wallace was suspended from Hawkins County Schools for exhibiting behavior resembling intoxication and failing a subsequent field sobriety test.

Status: Respondent was notified by certified mail of the Board's intent to suspend his license based upon these findings, and of his right to a hearing. Respondent received the notice but did not request a hearing.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation pursuant to Board Rule 0520-2-4-.01(9)(b)(3).

The Board staff review committee recommends suspension for one (1) year with reinstatement contingent upon proof of rehabilitation or evaluation by a health care provider and completion of any recommended steps.

David Ryan Witten
Revocation, concurrent

The Background:

Allegation: Mr. Whitten's license was revoked in Virginia after engaging in sexually inappropriate contact with a student.

Status: Respondent was notified by certified mail of the Board's intent to revoke his license based upon these findings, and of his right to a hearing. Respondent received the notice but did not request a hearing.

The Master Plan Connection:

This item supports the Board's Master Plan principles of effective school leaders and effective teachers by denying, suspending or revoking administrator and teacher licenses for a period of time commensurate with the given misconduct. Applicants, teachers and administrators who demonstrate that they should be granted a license or have their license reinstated despite misconduct may be granted a new license at the Board's discretion.

The Recommendation:

Respondent's conduct constitutes grounds for license revocation or suspension pursuant to Board Rule 0520-2-4-.01(9)(b)(5).

The Board staff review committee recommends suspension concurrent with the VA revocation.